

CONSERVATION COMMISSION

MINUTES (Approved 9/24/08)

AUGUST 13, 2008

Present: J. Wiley, Chairman
A. Goetz, Vice Chairman
B. Dyer, R. Jones

Absent: K. Phelps, R. Turner

Also Present: L. Hershey, Conservation Agent
P. Smith, Board Secretary

Conservation Agent Report given to members

MEETING OPENED: 7:00

ENFORCEMENT ORDERS

STONE ST. #358

Ms. Hershey stated an Enforcement Order was issued to the residents of 358 Stone St. for violations that occurred. She stated a backhoe was used to clear vegetation in the back yard and areas filled. Ms. Hershey showed the commission photographs. The owners were present and have pulled back the fill about 30-40 ft. and placed haybales at the edge of the disturbance. Ms. Hershey stated the owners have been very cooperative and she would like the commission to vote to have the work done under a friendly Enforcement order instead of a filing.

Mr. Goetz made the motion to ratify the Enforcement Order

Ms. Dyer seconded the motion

Vote: 4-0-0

The commission discussed that a wetland seed mix should be planted and four (4) no-alteration plaques should be put in. The owners will work with the Agent to make sure the work is done correctly.

MILL BROOK AVE # 64

DEP# 315-846

Ms. Hershey stated she issued an enforcement order to the owner of 64 Mill Brook Ave for encroachment into the 25' no alteration area which is referenced in the Order of Conditions that was issued May 2, 2005. She also stated there were no plaques in place which was also a special condition in this Order.

Attorney Phil Macchi II was present representing the owner Mr. Antonio Escobar. Mr. Macchi stated that Mr. Escobar knew nothing of an Order of Conditions on his property because of an error in recording found at the Norfolk Country Registry of Deeds. When Mr. Escobar purchased the property there was no record of an Order of Conditions in the Title.

Mr. Goetz made the motion to re-issue the Order of Conditions for 64 Mill Brook Ave.

Mr. Jones seconded the motion

Vote: 4-0-0

Mr. Goetz made the motion to ratify the Enforcement Order

Mr. Jones seconded the motion

Vote: 4-0-0

The commission discussed the need for plaques according to the As-Built plan

PUBLIC HEARING

AMENDMENT TO REGULATIONS

Opened: 7:31

Mr. Wiley read the advertisement from the Walpole Times.

A discussion occurred regarding making a revision to the Bylaw Regulations that will allow the quorum of the Commission for the purpose of action to be a majority of the members then in office as defined in sec. 310 CMR 10.05(2) of the wetlands protection Act. The specific language as provided by Town Council:

Action by the Conservation Commission - where this by-law states that a particular action (except receipt of a request or notice) is to be taken by the Conservation Commission, that action is to be taken by more than half the members present at a meeting of at least a quorum.

Quorum - is defined as it is in section 310 CMR 10.05(2) of the Wetlands Act Regulations, as said Regulations may from time to time be amended.

Mr. Goetz made the motion to change the language in the Regulations as proposed by Town Council

Mr. Jones seconded the motion

Vote: 4-0-0

Mr. Goetz made the motion to close the Public Hearing

Mr. Jones seconded the motion

Vote: 4-0-0

Closed 7:50

A discussion was then continued regarding a revision to the Walpole Wetlands Protection Bylaw to include the same language on quorum as the Bylaw Regulations and Wetland Protection Act Regulations. A letter had been forwarded to the Board of Selectmen requesting a warrant for the Bylaw revision.

Mr. Goetz made the motion for the Bylaw revision to go before Town Meeting in the Fall.

Mr. Jones seconded the motion

Vote: 4-0-0

MINUTES

JULY 9, 2008

Ms. Dyer made the motion to accept the Minutes for July 9, 2008

Mr. Goetz seconded the motion

Vote: 3-0-1 (Mr. Jones abstained)

CERTIFICATE OF COMPLIANCE

ALBANY RD. #14

DEP# 315-914

Mr. Goetz made the motion to approve and issue a Certificate of Compliance

Ms. Dyer seconded the motion

Vote: 3-0-1 (Mr. Jones abstained)

GRISTMILL LN. LOT #23

DEP# 315-906

Mr. Goetz made the motion to approve and issue a Certificate of Compliance

Ms. Dyer seconded the motion

Vote: 3-0-1 (Mr. Jones abstained)

GRISTMILL LN. LOT #21

DEP# 315-900

Mr. Goetz made the motion to approve and issue a Certificate of Compliance

Ms. Dyer seconded the motion

VOTE: 3-0-1 (Mr. Jones abstained)

WINTER ST. #699

DEP# 315-921

Mr. Goetz made the motion to approve and issue a Certificate of Compliance

Ms. Dyer seconded the motion

Vote: 4-0-0

EXTENSIONS

HANCOCK CT. LOT #4

DEP# 315-813

Mr. Goetz made the motion to approve and issue a one-year extension

Mr. Jones seconded the motion

Vote: 4-0-0

HANCOCK CT. LOT #5

DEP# 315-809

Mr. Goetz made the motion to approve and issue a one-year extension

Ms. Dyer seconded the motion

Vote: 4-0-0

LOST BROOK TRAIL SUBDIVISION

DEP # 315-847

Mr. Goetz made the motion to approve and issue a one-year extension

Mr. Jones seconded the motion

Vote: 4-0-0

OTHER BUSINESS

Ms. Hershey expressed an interest in taking an educational course at UMass Boston on Dispute Resolution. She stated that under the Personnel Bylaw, employees can request up to \$600 to assist with the cost. She went to the Town Manager and was given verbal approval.

Mr. Goetz made the motion to support educational assistance for the conservation agent and supports the use of the wetlands filing account if appropriate.

Mr. Jones seconded the motion

Vote: 4-0-0

ENFORCEMENT ORDER

MACDONALD CIRCLE

Mr. Goetz made the motion to vacate the Enforcement Order for MacDonald Circle residents

Ms. Dyer seconded the motion

Vote: 3-0-1 (Mr. Jones abstained)

ROUTINE MUNICIPAL WORK ORDER

DEP 315-683

A routine work order was submitted to the office stating the need to remove hazardous trees at 381 Washington St. Another order was submitted stating the Town will be cutting back invasive growth at Memorial ponds edge.

767-777 EAST ST. (Walpole Woodworker's site)

The commission discussed that the applicants should come before the commission prior to filing to discuss work that will take place within the buffer zone.

The following correspondence was discussed and available for review

- Lycott Environmental – Walpole country club pond treatment
- GZA – Allen Dam
- GZA – Bird landfill groundwater monitoring report
- Attorney Letter – Frontier Dr
- Weston Solutions – RAM report 100 Neponset St
- Capital Budget request Fall 2008
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Mr. Goetz made the motion to adjourn

Ms. Dyer seconded the motion

Vote: 4-0-0

Closed: 8:30